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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,034	03/16/2001	Kazunobu Konda	P 279136 T4KM-00S1177-1	5592
909	7590	10/08/2004	EXAMINER	
PILLSBURY WINTHROP, LLP P.O. BOX 10500 MCLEAN, VA 22102			KNOLL, CLIFFORD H.	
			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/809,034

Applicant(s)

KONDA ET AL.

Examiner

Clifford H Knoll

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/28/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is responsive to communication filed 7/28/2004. Claims 1-20 have been cancelled. Claims 21-36 have been newly added. Claims 21-36 are currently pending.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 21-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura (US 2001/0051930).

Regarding claims 21 and 25, Nakamura discloses upon selecting the first mode, receiving the second command and rejecting the first command (e.g., para. 157), upon selecting the second mode, any of first and second control commands being received to execute it, said device being configured to execute given processing corresponding to a control command if this command is sent from the registered device (e.g., para. 151).

Regarding claims 22 and 26, Nakamura also discloses one of first and second modes is configured to be set by a user of the device (e.g., para. 151).

Regarding claims 23 and 27, Nakamura also discloses upon power off in the first mode, the network interface is set in a power-off state or in a power saving state (e.g., para. 120).

Regarding claims 24 and 28, Nakamura also discloses a visual device (e.g., para. 94).

Regarding claims 29 and 33, Nakamura discloses the first mode in which a self control is preferential, and a second mode in which a control by another is acceptable (e.g., para. 145), with the device including portions configured to reject the control command from the device such that said apparatus can control oneself but cannot be controlled by the other device (e.g., para. 222), accept the control command from said device in the second mode, such that said apparatus can control oneself and can be controlled by said device (e.g., para. 208), register a prescribed said device (e.g., para. 153), reject control commands from an unregistered device even in the second mode (e.g., para. 178-180), reject control commands in the first mode (e.g., para. 169), execute given processing corresponding to the control command sent from the registered device (e.g., para. 175).

Regarding claims 30 and 34, Nakamura also discloses one of first and second modes is configured to be set by a user of the device (e.g., para. 151).

Regarding claims 31 and 35, Nakamura also discloses upon power off in the first mode, the network interface is set in a power-off state or in a power saving state (e.g., para. 120).

Regarding claims 32 and 36, Nakamura also discloses a visual device (e.g., para. 94).

Response to Arguments

Applicant's arguments filed 7/28/2004 have been fully considered but they are not persuasive.

Regarding claims 21, 25, 29 Applicant argues that while "Nakamura, which requires the inputting of a password, the claimed conditional rejection of the control command is not based on a password" (pp. 7, 8, 9, 10, with regard to respective claims); however this distinction finds no support in the claims. The rejection, applied to the new claims, cites passages from Nakamura that interpret Nakamura with regard to all the recited features.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

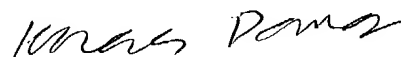
Art Unit: 2112

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 703-305-8656. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



chk

Khanh Dang
Primary Examiner